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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/525,593

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Katsuzo Tanaka

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EXAMINER

CHAN, RICHARD

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,593

Applicant(s)

TANAKA, KATSUZO

Examiner

Richard Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-31 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-31, and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claim 30 is objected to because of the following informalities: Line 8 of claim 30 begins with the word "In" the letter "I" must be changed from capital "I" to lower case i. Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 26-31 are rejected under 35 U.S.C. 101 because if the broadest reasonable interpretation of the claimed invention as a whole encompasses a human being, then a rejection under 35 U.S.C. 101 must be made indicating that the claimed invention is directed to nonstatutory subject matter.

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For example (Claim 26 page 2-page 3) discloses the thumbs and the respective remaining four of both hands sandwich the cell phone, and ten fingers of both hands are always placed at the joy stick and the keys.

All instances within the application that claim body parts performing certain operations on the cellular device need to be removed or changed. Appropriate correction is required to all claims rejected under USC 101.

Allowable Subject Matter

4. Claims 26-31 and 37 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C 101, set forth in this Office action.

With respect to claim 26, the prior art discloses a cell phone a small PDA device in which a main body of the cell phone is held by both hands, the main body of the cell phone having a substantially rectangular parallelepiped shape has, on both faces having narrower widths including the longest edge line, at least one set of joy key, or joy stick, or arrow direction key, or cogwheel-type or ball rotation-type input means for taking the task, and at least twenty-six keys in total, the thumbs and the respective remaining four fingers of both hands sandwich the cell phone, the main body of the cell phone having a substantially rectangular parallelepiped shape has a face having a broad width including the longest edge line which is provided with the entirety of a display so that the entirety of the display is provided in substantially front of a user's

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face while the longitudinal direction of said face having a broad width and a straight line running from the user's front teeth to a center point between the eyebrows are provided in a substantially parallel manner, one face having the joy stick has thereon one hand's thumb, the other hand's forefinger, middle finger, fourth finger, and little finger, and the other face has thereon the other hand's thumb, one hand's forefinger, middle finger, fourth finger, and little finger, however the prior art does not disclose whereby allowing the ten fingers of both hands to input, the cell phone is held so that one hand's thumb and the other hand's forefinger and the other hand's thumb and one hand little finger or one hand thumb and the other hand's little finger and the other hand's thumb and one hand's forefinger are shifted so that the former and the latter approach to each other, thereby allowing palms of both hands to face the user's face, ten fingers of both hands are always placed at the joy stick and the keys, and a single key pushing operation by any one finger of the fingers of both hands can provide, without switching of the conditions such as a shift key, the input of any one letter of at least twenty-six alphabet letters or at least twenty-six letters of other kinds.

With respect to claim 27, the prior art discloses a main body of the cell phone is held by both hands, the main body of the cell phone having a substantially rectangular parallelepiped shape has, on both faces having narrower widths including the longest edge line, at least one set of joy stick, and at least twenty-six keys in total, the thumbs and the respective remaining four fingers of both hands sandwich the cell phone, a main body of the cell phone having a substantially rectangular parallelepiped

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shape has one face having the joy sticks and narrower widths including the longest edge line, and said face is provided in front of a user's face, the longitudinal direction of said face and a straight line running from the user's front teeth to a center point between the eyebrows are provided in a substantially parallel manner, while the entirety of a display substantially rotated by 90 degrees from the storage position is being provided substantially in front of the user's face, ten fingers of both hands are used for input, flat faces of the nails of both hand's thumbs and ball faces of the remaining eight fingers (which are provided to the opposite side of the flat face of the nail) substantially turns to the user's face, however the prior art does not specifically disclose wherein the cell phone is held so that a side section of a nail of one hand little finger and a side section of a nail of the other hand's forefinger are shifted so that the former and the latter approach to each other, thereby allowing palms of both hands to be opposed to both faces of the broadest face of the cell phone main body, ten fingers of both hands are always placed at the letter input means, and a single key pushing operation by any one finger of the fingers of both hands can provide, without switching of the conditions such as a shift key, the input of any one letter of at least twenty-six alphabet letters or at least twenty-six letters of other kinds.

With respect to claim 28, the prior art discloses the communication equipment, characterized in that: a main body of the communication equipment is held by both hands, the main body of the communication equipment having a substantially rectangular parallelepiped shape has, on both faces having narrower widths including

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the longest edge line, at least one set of joy stick, and at least twenty-six keys in total, the thumbs and the respective remaining four fingers of both hands sandwich the communication equipment, a front face having a broad width including the longest edge line of the main body of the communication equipment is turned upwards when the user looks at a display provided within the limits of user's field of view apart from the communication equipment while the longitudinal direction of said face having a broad width and a straight line running from the user's body to the display are provided in a substantially parallel manner, however the prior art does not disclose wherein one face having the joy stick has thereon one hand's thumb, the other hand's forefinger, middle finger, fourth finger, and little finger, and the other face has thereon the other hand's thumb, one hand's forefinger, middle finger, fourth finger, and little finger, thereby allowing the ten fingers of both hands to input, the communication equipment is held so that one hand's thumb and the other hand's forefinger and the other hand's thumb and one hand little finger or one hand thumb and the other hand's little finger and the other hand's thumb and one hand's forefinger are shifted so that the former and the latter approach to each other, thereby allowing palms of both hands to face the rear face of the communication equipment, however the prior art does not disclose wherein ten fingers of both hands are always placed at the letter input means, and a single key pushing operation by any one finger of the fingers of both hands can provide, without switching of the conditions such as a shift key, the input of any one letter of at least twenty-six alphabet letters or at least twenty-six letters of other kinds.

With respect to claim 29, the prior art discloses wherein a communication equipment, characterized in that a main body of the communication equipment is held by both hands, the main body of the communication equipment having a substantially rectangular parallelepiped shape has, on both faces having narrower widths including the longest edge line, at least one set of joy stick, and at least twenty-six keys in total, the thumbs and the respective remaining four fingers of both hands sandwich the communication equipment, face having the joy stick and narrower widths including the longest edge line of the main body of the communication equipment is turned upwards when the user looks at a display provided within the limits of user's field of view apart from the communication equipment while the longitudinal direction of said face having the narrower widths and a straight line running from the user's body to the display are provided in a substantially parallel manner, however the prior art does not specifically disclose wherein the flat faces of the nails of both hand's thumbs and ball faces of the remaining eight fingers (which are provided to the opposite side of the flat face of the nail) are substantially turned upwards, the communication equipment is held so that a side section of a nail of one hand little finger and a side section of a nail of the other hand's forefinger are shifted so that the former and the latter approach to each other, thereby allowing palms of both hands to be opposed to both faces of the broadest face of the communication equipment main body, ten fingers of both hands are always placed at the letter input means, and a single key pushing operation by any one finger of the fingers of both hands can provide, without switching of the conditions such as a

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shift key, the input of any one letter of at least twenty-six alphabet letters or at least twenty-six letters of other kinds.

With respect to claim 30, the prior art discloses wherein the communication equipment for receiving and transmitting the information while driving the automobile characterized in that: the input device of the communication equipment is provided on the steering handle of the automobile which can be gripped by both hands so that the input device can be used for letter input, In the state of the handle angle at the time of going straight while driving the automobile, at least six keys in three rows and two columns provided on the contact surface by the ball face (which is provided to the opposite side of the flat face of the nail) of the left hand thumb on the left side of the gripping handle, at least ten keys in five rows and two columns provided on the contact surface by the ball faces (which are provided to the opposite side of the flat face of the nail) of the left hand forefinger, middle finger, fourth finger and little finger on the left side of the gripping handle, at least one set of joy key and at least six keys in three rows and two columns including at least two shift keys provided on the contact surface by the ball face (which is provided to the opposite side of the flat face of the nail) of the right hand thumb on the right side of the gripping handle, at least ten keys in five rows and two columns provided on the contact surface by the ball faces (which are provided to the opposite side of the flat face of the nail) of the right hand forefinger, middle finger, fourth finger and little finger on the right side of the gripping handle, ten fingers of both hands are always placed at the letter input means, however the prior art does not disclose wherein said

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handle is being provided substantially in front of the user's body, both hands are used for input by gripping and inserting the handle between the thumb and the other four fingers of both hands while watching the display provided on the position near the driver's seat a single key pushing operation by any one finger of the fingers of both hands can provide, without switching of the conditions such as a shift key, the input of any one letter of at least twenty-six alphabet letters or at least twenty-six letters of other kinds.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Miramontes reference (US 2002/0072395) discloses a telephone with fold out keyboard.

The Zerber reference (US 6,292,770) discloses a Japanese language system user interface for messaging system.

The Tanaka reference (US 2005/0250530) discloses a ultrahigh rate character input unit of portable telephone.

The Sato reference (US 6,625,283) discloses a single hand keypad system.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chan whose telephone number is (571) 272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Richard Chan
Art Division 2618
4/30/07



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SUPERVISORY PATENT EXAMINER